

Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Construction of Kingston Rail Trail - Capital Project No. 334 – Department Of Planning

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio and Rodriguez), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Energy and Environment Committee (Chairman Richard Parete and Legislators Bartels, Heppner, Lapp and Wawro)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, James F. Maloney, and Deputy Chairman Hector Rodriguez offer the following:

WHEREAS, this resolution has been offered by the County Executive on behalf of the Department of Planning; and

WHEREAS, the Kingston Rail Trail (the “Project”) will design and construct a multi-use trail from the City of Kingston to the existing O&W Rail Trail in the Town of Hurley, extending approximately 2-miles; and

WHEREAS, pursuant to Resolution No. 291 passed on August 19, 2014, the Ulster County Legislature amended Capital Project No. 334 for the purposes of Engineering Design and Right-of-Way (ROW) Incidental Work on the Project; and

WHEREAS, as required for federally-funded transportation projects, Ulster County and its consultants conducted a Public Information Meeting on the Project on December 9, 2015 to seek comments, and have reached out to federal and state agencies identified as having jurisdiction associated with approvals necessary for the Project to proceed; and

WHEREAS, as part of the Project approval process the County has completed a Draft Design Report that includes an analysis of impacts to historic and archeological sites, wetlands and water bodies, threatened or endangered species, traffic, and other environmental considerations as required under 6 NYCRR Part 617 of the Regulations of Article 8 of the Environmental Conservation Law of New York State (“SEQRA”); and

WHEREAS, in February 2016, the Draft Design Report was submitted to the New York State Department of Transportation (NYSDOT) for review and comment; and

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WHEREAS, Ulster County, in conjunction with its engineering consultants, has determined that the Project as proposed constitutes an Unlisted Action and has conducted an Uncoordinated Review as provided for under SEQRA; and

WHEREAS, Ulster County, in conjunction with its engineering consultants, has addressed all SEQRA issues as identified, considered and examined by the Involved and Interested Agencies and members of the public in conducting the review and in so doing, has taken a hard look at said areas and made a determination of non-significance under SEQRA (“Negative Declaration”), a copy of which is annexed to this Resolution and made a part hereof; now, therefore, be it

RESOLVED, that pursuant to 6 NYCRR Part 617 et seq. of the Regulations of Article 8 of the Environmental Conservation Law of New York State (SEQRA), the Ulster County Legislature hereby adopts and issues the Negative Declaration under SEQRA upon the vote thereupon and the signature of the Ulster County Legislature Chairman herewith; and, be it further

RESOLVED, that Clerk of the Legislature shall file this Resolution and accompanying Negative Declaration with the Involved and Interested Agencies as enumerated in the Negative Declaration; and, be it further

RESOLVED, that the adoption of the Negative Declaration shall constitute the SEQRA Decision of approval for the construction of the Kingston Rail Trail, together with all plans and documents associated therewith,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on March 1, 2016

Passed Committee: Public Works and Capital Projects on _____.

Passed Committee: Energy and Environment on _____.

FINANCIAL IMPACT:

NONE